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15
16 **UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

17 APPLICATIONS IN INTERNET TIME, LLC,

18
19 Plaintiff,

20 v.

21 SALESFORCE, INC.,

22 Defendant.
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27
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No. 3:13-CV-00628-RCJ-CLB

**[PROPOSED] ORDER GRANTING
SALESFORCE, INC.'S MOTION
FOR SUMMARY JUDGMENT**

1 Pursuant to the Court's May 26, 2023 and July 10, 2023 Orders (ECF Nos. 394, 398, and 399),
2 and LR 7-2(f) Defendant Salesforce, Inc. ("Salesforce") respectfully submits to the Court its Proposed
3 Order Granting Salesforce's Motion for Summary Judgment ("Proposed Order") attached as Exhibit
4 A.

5 On May 14, 2023 the Court heard arguments from counsel as to Plaintiff Application in
6 Internet Time's ("AIT") Motion for Summary Judgment (ECF No. 270), Salesforce's Motion for
7 Summary Judgment (ECF No. 278), and Motion to Resolve Discovery Dispute Regarding Corrected
8 Expert Report (ECF No. 351) and at the end of hearing granted Salesforce's Motion for Summary
9 Judgment (ECF No. 270) as to both non-infringement and invalidity (Hr. Tr. at 153:10-157:20). On
10 May 26, 2023, the court ordered Salesforce to prepare and file a proposed order in accordance with the
11 Court's rulings on the parties' motions for summary judgment. (ECF 394). On June 23, 2023 the
12 parties stipulated to and jointly requested an extension of the deadline for Salesforce to serve the
13 proposed order on AIT, for AIT to notify Salesforce of any reasons for disapproval, and for Salesforce
14 to file the proposed order, which Order the Court subsequently granted (ECF 398). On July 4, 2023
15 Salesforce served its proposed order on counsel for AIT.

16 The Court's July 10, 2023 Minute Order (ECF 399) states "If Plaintiff AIT timely provided the
17 reasons for disapproval, then Plaintiff AIT has three days from the day that Defendant Salesforce files
18 the proposed order with the Court. The Court will not allow Plaintiff AIT to file anything other than
19 the competing order as allowed by the local rules." Salesforce respectfully notes that, as of the filing
20 of this proposed order, AIT has not provided any reason for disapproval of Salesforce's proposed
21 order, and thus Salesforce has not had the opportunity to consider or respond to any such reasons for
22 disapproval.¹ Accordingly, should the Court permit AIT to file a competing order, Salesforce
23 respectfully requests the opportunity to respond thereto.

24
25 ¹ On July 4, 2023, AIT requested a further extension of time to provide its reasons for
26 disapproval. Ex B. Salesforce agreed to this request, and the parties filed the requested motion for
27 extension for both AIT to provide its reasons for disapproval and for Salesforce to file the
28 Proposed Order on July 7, 2023 (ECF 397). The court denied the motion on July 10, 2023 (ECF
399).

1 DATED: July 10, 2023

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3 By /s/ Ray Zado

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CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, that I am an employee of Quinn Emanuel Urquhart & Sullivan LLP and that pursuant to LR 5-3 I caused to be electronically filed on this date a true and correct copy of the foregoing document with the Clerk of the Court using the CM/ECF system. A copy will be served via email upon the following:

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DATED: July 10, 2023.

/s/ Zachary Furcolo
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